IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL.

CIVIL REVISION NO. 484 OF 2001.

Prem Das Sagar. ……. Applicant.

Versus

Narendra Singh Gosain. . …… Opp.party.

HON'BLE RAJESH TANDON J.

By the present revision the plaintiff has challenged the order dated 12.09.2001 by which the amendment has been allowed.

The respondent has filed a suit praying for the recovery of the amount alongwith the interest as damages. The applicant has filed the written statement wherein he has stated some mala-fides.

By way of amendment the defendant further wants to add certain mala-fides.

In Paragraph 24 as well as in paragraph 30 and 34 the averments have already been made by the applicant.

In view of the above, opportunity is given to the applicant to lead evidence with regard to the mala-fides which he wanted to add by way of amendment.

Counsel for the applicant has stated that additional evidence has also been admitted in Civil Revision No. 486 of 2001.

The applicant is permitted to lead evidence. The court shall allow amendment which is necessary in pursuance of the order passed in Civil Revision No.486 of 2001. Opportunity shall also be given to the applicant to file fresh application of amendment in view of the order passed in Civil Revision No.486 of 2001.

Subject to the aforesaid, the revision is dismissed. No order as to costs.

Dated: August 17,2004. **(Hon'ble Rajesh Tandon J)**
S.S.Negi.